

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 19, 20, 2004

Division: Public Works

Bulk Item: Yes X No

Department: Facilities Maintenance *JK*

AGENDA ITEM WORDING: Approval of a revised policy, for the Use of County Property and the use of Monroe County Government Meeting Rooms, for public facilities, roads, and bridges.

ITEM BACKGROUND: A policy was established for the Use of County Property and the use of Government Meetings Rooms to consolidate existing County use policies to include the Airports, Libraries, Meeting Rooms, County facilities and Parks and Beaches.

PREVIOUS RELEVANT BOCC ACTION: On July 26, 2000, the BOCC approved to modify the fee structure for the Government meeting rooms, and establish Channel 16 televising costs. On September 19, 2001 and October 15, 2003, the BOCC approved to revise the fee structure for the meeting rooms to reflect current costs for services. Modification of the Request for Use of County Property was approved by the BOCC on July 26, 2000 to include additional language in policy regarding property/staff availability. Prior modification to the rules and regulations of the Use of County Property was approved on August 21, 1998.

CONTRACT/AGREEMENT CHANGES: See attached list.

STAFF RECOMMENDATIONS: Approval as stated above.

TOTAL COST: N/A

BUDGETED: Yes N/A No

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes No X **AMOUNT PER MONTH** **Year**

APPROVED BY: County Atty OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

[Signature]
Dent Pierce, Director Public Works

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM # D-20

CHANGES TO POLICY FOR PUBLIC FACILITIES, ROADS, BRIDGES, & COUNTY MEETING ROOMS

Agenda 05/19/04

- Policy consolidates Meeting Rooms and Use of County Property with Airports and Libraries.
- Fees are mandatory for all non-profit organizations, regardless if they have a tax exempt federal I.D. #.
- Mr. Roberts will have authority to waive fees, including clean up and dump fees, and to authorize the organization to charge admission charges if greater than \$10.00.
- Groups will be required to execute an original Indemnity/Hold Harmless Agreement when using all kinds of county property, including meeting rooms.
- In regards to meeting rooms, it is stressed that special requests for equipment after reserving a room, or during the meeting, may be denied.
- The statement 'Facilities shall not be used for personal or private profit, aggrandizement, or advertising' is added to the meeting room policies.
- The Library policy is a separate section of the new policy.
- For the Marathon Government Center meeting room, precedence is established for the Public Safety Division, Dept. of Emergency Management. All reservations for the Marathon Government Center will be for groups of 16 people or more. Groups of 15 people or less will not be allowed to schedule the room.
- Channel 16 rates increased to include \$125.00 per hour for equipment costs.

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

POLICY FOR PUBLIC FACILITIES, ROADS, BRIDGES, & COUNTY MEETING ROOMS FOR USE IN MONROE COUNTY, FLORIDA

GENERAL RULES AND REGULATIONS:

Any organization requesting the use of a County facility, building, park, beach, road, bridge, airport, or meeting room **MUST** complete the **"REQUEST FOR USE OF COUNTY PROPERTY"** form and return to the responsible County Department. **THE ORIGINAL REQUEST FOR USE OF COUNTY PROPERTY FORM** shall be submitted to the appropriate department no later than five working days prior to the desired date. If a public assembly permit and/or extensive coordination with other County Departments, the Sheriff's office, or State Department of Transportation is needed, **THE ORIGINAL REQUEST FOR USE OF COUNTY PROPERTY FORM** must be submitted no later than ten working days prior to the desired date.

1. **FEES:** Fees apply to all agencies excluding divisions or departments of any local, state, or federal Government Agency. Fees are mandatory regardless of an organization's non-profit status, with the exception of Monroe County School sponsored functions and sports leagues, and the use of Library facilities. Only the County Administrator is authorized to waive any applicable fee.
 - A. Fees for the use of county property are stated on pages 5 and 6. If there are regular County admission fees to the facility, those fees will be charged in addition to the group user fees.
 - B. If the organization, group, etc., proposes to charge an admission fee greater than \$10.00 per person, then the admission charges must be approved by County Administrator.
 - C. Any organization that impacts normal services to the facility will be charged the cost above normal expenses for using the facility, in addition to the fees assessed per the schedule. The charges will be assessed by the Public Works Director or his designee.
 - D. Groups whose only purpose for the use of the facility or property is for improvements (ex. planting shade trees), shall not be required to pay user fees, however, they will be responsible for clean up and dump fees. If part of the purpose is for facility or property improvements (ex. planting shade trees and holding a tree selling event), the Director of Public Works or his designee shall determine a prorated fee.
2. **INSURANCE:** Groups/organizations/sponsors shall be required to execute an original Hold Harmless/Indemnity Agreement and furnish original insurance certificates naming **Monroe County BOCC** as an additional insured (except for Worker's Compensation), unless these provisions are waived by the Monroe County Risk Management Department, or the County Administrator. Groups utilizing a meeting room do not need to furnish insurance documentation, however they are required to execute the Hold Harmless/Indemnity Agreement.

Risk Management will determine if coverage may be needed as follows:

- Worker's Compensation
- General Liability
- Vehicle Liability
- Aircraft/Watercraft Liability
- Liquor Liability (if applicable and necessary)

3. **250 + PARTICIPANTS:** All functions expecting 250 or more participants/spectators for more than one day events are required to contact the Monroe County Planning Department as well as the Monroe County Facilities Maintenance department to obtain a Public Assembly Permit. (Ordinance No. 030-1996)
4. **ALCOHOLIC BEVERAGES:** The use or sale of alcoholic beverages shall be prohibited unless prior approval is obtained by the County Administrator. The sponsor will be responsible for concurrence with applicable state permits and additional insurance as may be required by the Monroe County Risk Manager. In accordance with Monroe County Resolution No. 156-2001, adopted on 3/21/01, the following fees

must be collected from the non-charitable organizations or social event sponsor before the County Administrator may accept an application for the per event sale of alcoholic beverages on County-owned property:

<u>Number of persons expected to attend the event:</u>	<u>Fee:</u>
1 - 20	\$10.00
21 - 50	\$20.09
51 - 100	\$40.00
101 or more	\$50.00

All organizations must comply with the insurance requirements provided by Monroe County Risk Management.

5. **TRAFFIC CONTROL:** Events, projects, etc., affecting or occurring on any road or bridge must be pre-approved by the Monroe County Engineering Department. The use of off duty police may likewise be required. Coordination with off duty police is the user's responsibility and shall be coordinated directly with the police agency. In addition to the direct costs for a deputy, the Monroe County Sheriff's Department is required to charge overhead costs. Proof of coordination is needed.
6. **BBQ GRILLS:** Groups/Organizations/Sponsors wishing to utilize a personal BBQ grill other than the grills supplied by the Monroe County Facilities Maintenance Department, which are permanently placed at the beaches or parks, will require approval from the County Administrator prior to event. Groups are responsible for disposal of personal grills and charcoal.
7. **MEETING ROOMS (EXCLUDING LIBRARIES):** Organizations requesting use of meeting rooms are subject to all the above rules and regulations. Monroe County meeting rooms will be available primarily for use by the County and other local, state and federal government agencies. Use of meeting rooms will also be available for organizations that represent the interests of the public. In the event of conflicting dates, use by the Board of County Commissioners and other County entities will take priority.
 - A. Meeting rooms may not be used before 8:00 a.m. or after 11:00 p.m.
 - B. County personnel will ensure the room is opened in the evening and locked at the conclusion of the meeting.
 - C. Most of the equipment in the meeting rooms will not be available for general public use. County staff will make available lighting, air conditioning, and a public address system if necessary.
 - D. All requests for equipment shall be made at the time the room is reserved. **Special requests for equipment after reservation or during a meeting may be denied.**
 - E. Facilities shall not be used for personal or private profit, aggrandizement, or advertising.
 - F. Smoking and alcoholic beverages are prohibited.
8. **COUNTY LIBRARIES:** Use of Conference and Multi-Purpose Room and Audio-Visual Equipment:
 - A. **LIMITATIONS:** Use of Library facilities is open to programs sponsored or co-sponsored by the Library, to Monroe County, State and Federal governmental agencies, and to public meetings held by groups headquartered in Monroe County which are civic, cultural, educational, intellectual, or charitable in nature. Such use does not imply Library endorsement of the aims, policies, or activities of any group. Application for the use of any meeting room will be made with the respective Branch concerned. However, final authority for use of space will rest with the Senior Library Administrator.
 - B. **REGULATIONS:** The following regulations apply to all programs scheduled in Library facilities:
 1. All programs must be free of charge and open to the public as space permits. No collections may be taken or sales made. Library facilities shall not be used for personal or private profit, aggrandizement, or advertising.
 2. In case of exhibits, the Library shall not be held responsible for loss or damage, and any insurance arrangements will be **THE RESPONSIBILITY OF THE EXHIBITOR.** Exhibitors will be required to sign waiver forms and follow Display Policy.

3. Sponsors may be required to execute a "hold-harmless" agreement and/or furnish appropriate insurance naming Monroe County as additional insured for certain types of programs, in compliance with the "Use of County Property" policy and procedures.
4. Monroe County governmental agencies take preference over outside groups when scheduling the use of meeting rooms. Once an outside group has booked the room, however, every effort shall be made to avoid a forced cancellation in favor of the County agency.
5. Refreshments may be served only by permission and special arrangement. Smoking and alcoholic beverages are prohibited.
6. The Library reserves the right to cancel or reschedule any program or exhibit when necessary.
7. A key is available for meeting room use outside of regular Library hours; Library staff will explain the procedures for such use to interested applicants. A registered designee of the group must be present at any such meeting, to be responsible for the key and adherence to the procedures.
8. Maintenance employees are not available to organizations at any time. Organizations using the meeting room are responsible for any needed arrangement of furniture before their meeting as well as rearranging and cleaning of the meeting room at the conclusion of the meeting. Monroe County governmental agencies are responsible for making their own arrangement with the Public Works Department for such duties and are required to restore the meeting room to its original condition within a reasonable amount of time following the meeting.
9. Rooms may be booked up to one year in advance; booking is done on a first come/first served basis, with public agencies having priority.
10. The audio-visual equipment owned by the Monroe County Public Library may be used within the library facilities, with a signed designee of the group to accept responsibility, but may not be loaned to leave the facilities.

9. **MEETING ROOM LOCATIONS:**

The Gato Building
1100 Simonton Street
Key West, FL 33040
(305) 292-4443

Key West Library
700 Fleming Street
Key West, FL 33040
Contact: Reference (305) 292-3595

Marathon Library
3251 Overseas Highway
Marathon, FL 33050
(305) 289-6098

Key Largo Library
101485 Overseas Highway
Tradewinds Shopping Plaza
Key Largo, FL 33037
(305) 852-7164

MEETING ROOM LOCATIONS:

The Harvey Government Center
1200 Truman Avenue
Key West, FL 33040
(305) 292-4201

*Marathon Government Center
2798 Overseas Highway
Marathon, FL 33050
(305) 292-4201

Islamorada Library
81550 Overseas Highway
Islamorada, FL 33036
(305) 852-7163

Big Pine Key Library
213 Key Deer Blvd
Winn Dixie Shopping Plaza
Big Pine Key, FL 33043
(305) 872-0992

* *Groups of 15 people or less will not be allowed to schedule the meeting room located at the Marathon Government Center. The Monroe County Public Safety Division, Department of Emergency Management has precedence for the use of the Marathon Government Center meeting room.*

10. Permission to use County property shall not constitute a waiver of any local, state or federal laws.

11. Damage done to any County owned equipment or property during the time the County property is utilized by the organization, will be the responsibility of the organization.
12. Approval of *REQUEST FOR USE OF COUNTY PROPERTY* is based on availability. Monroe County reserves the right to deny any request based on the availability of property being reserved for use and the availability to properly staff any event or non-government function. In the event of emergencies or the necessary scheduling of special BOCC meetings, events may need to be rescheduled.
13. **INDEMNIFICATION AND HOLD HARMLESS:** The Organization/Individual covenants and agrees to indemnify and hold harmless Monroe County Board of County Commissioners from any and all claims for bodily injury (including death), personal injury, and property damage (including property owned by Monroe County) and any other losses, damages, and expenses (including attorney's fees) which arise out of, in connection with, or by reason of the Organization/Individual utilizing the property governed by this lease/rental agreement.
The extent of liability is in no way limited to, reduced, or lessened by the insurance requirements contained elsewhere within this agreement.
14. **FOR INFORMATION ON REQUESTING THE USE OF COUNTY PROPERTY FOR PARKS, BEACHES, ROADS AND BRIDGES, CONTACT THE FOLLOWING:**

**MONROE COUNTY
PUBLIC WORKS FACILITIES MAINTENANCE DEPARTMENT
PARKS & BEACHES SECTION
3583 S. ROOSEVELT BOULEVARD
KEY WEST, FL 33040**

**ATTENTION: PARKS & RECREATION COORDINATOR
PHONE: 1-888-227-8136 (Toll Free Throughout The Keys)
OR 305 295-4385**

15. **FOR INFORMATION ON REQUESTING THE USE OF COUNTY PROPERTY FOR AIRPORTS, CONTACT THE FOLLOWING:**

**KEY WEST INTERNATIONAL AIRPORT
3491 S. ROOSEVELT BLVD.
KEY WEST, FL 33040**

PHONE: (305) 292-3518

**MARATHON AIRPORT
9400 OVERSEAS HIGHWAY
MARATHON, FL 33050**

PHONE: (305) 289-6060

FEE SCHEDULE

MEETING ROOMS

\$41.57 per hour Monday – Friday 8:00 a.m. through 5:00 p.m. excluding Holidays.

\$50.05 per hour Evenings, Weekends, and Holidays.

\$20.00 per hour for the use of a small meeting room for 10 people or less (business hours only).

Charges cover costs to have an employee on site, and related expenses (i.e., electricity).

Fees will be charged for use of the premises when such use requires the expenditures of County funds which would not be expended except for the act of making the room available for such use.

This charge shall compensate the government for the provided service only.

Fees will be adjusted annually to reflect current costs.

CHANNEL 16 RATES:

Television coverage is available only for pre-approved County activities. Any other governmental agency must obtain prior approval from the County Administrator. **One hour prior to the meeting is needed for the setting up of equipment, and one hour after the meeting is needed for the breakdown of equipment. Hours will be charged at the rates below, assuming Channel 16 staff is available at the time of the activity.**

\$32.76 per hour Monday – Friday 8:00 a.m. through 5:00 p.m. excluding Holidays.

\$48.04 per hour Evenings, Weekends, and Holidays.

\$125.00 per hour for equipment costs.

Costs include a T.V camera, technician, and T.V. equipment. Costs do not include tape duplicates or special post-production costs.

FEE SCHEDULE

BUILDINGS, PARKS, BEACHES, ROADS, BRIDGES, & AIRPORTS

All fees will be payable in advance to the Monroe County Board of County Commissioners and submitted to the Public Works Facilities Maintenance Department. Admission fees that exist will also be charged. The Public Works Sr. Director of the Lower Keys Facilities, or his designee, may require security fees and other fees related to the nature of the event. The Monroe County Administrator reserves the right to waive fee payments.

- **County Buildings and Airport Terminals:**

Monday through Friday:

8:00 a.m. – 5:00 p.m. \$100.00 per day

Hourly Rate Before 5:00 p.m. \$15.00 per hour

Hourly Rate After 5:00 p.m. \$20.00 per hour

Weekends and Holidays:

8:00 a.m. – 5:00 p.m. \$150.00 per day

Hourly Rate \$20.00 per hour

- **Roads & Bridges and Airport Grounds:**

Monday through Friday \$100.00 per day

Weekends and Holidays \$150.00 per day

- **Parks & Beaches:**

Groups requesting to reserve a portion of any park or beach will be charged \$2.00 per person, along with clean up fees stated below. Children 12 years of age and under will not be charged and are exempt from paying the fee.

- **Clean up and dump fees:** Clean up and dump fees will be assessed based on the size of the group:

01 – 50 Person(s) \$50.00

51 – 100 Persons \$75.00

101-200 Persons \$100.00

Over 201 Persons To be determined by the BOCC

James L. Roberts, County Administrator
(Date)

**REQUEST FOR USE OF COUNTY PROPERTY
IN MONROE COUNTY, FLORIDA**

Date: _____

Name of persons or organization: _____

Address & telephone number: _____

Contact person & telephone number: _____

Specific County property or meeting room requested: _____

Intended use: _____

Date(s) needed: _____ Time: From: _____ to _____

Official Monroe County Government Use: Yes _____ No _____

Number of participants: _____

Brief description of event: _____

Alcohol consumption/sales? Yes _____ No _____

Use of personal BBQ grill: Yes _____ No _____

USE OF COUNTY PROPERTY ONLY

Clean up provisions, assurances, and state if any improvements are to be to facility: _____

Coordination with: Sheriff Dept: _____
Security: _____
Public Works: _____

Previous history of holding similar events: _____

USE OF MEETING ROOMS ONLY

Special Audio Visual Equipment Needed:
Yes: _____ No: _____
Describe: _____

Public Address System:
Yes: _____ No: _____

Arrangement of Room _____

Fees are listed on pages 5 and 6 of the Policy for Public Facilities, Roads, Bridges, & County Meeting Rooms.

COUNTY USE ONLY

Scheduled Date: _____ Fees: _____

Insurance /Hold Harmless Requirements: _____

Approved: Yes _____ No _____ By: _____

Remarks: _____

HOLD HARMLESS AGREEMENT

This agreement entered into by and between MONROE COUNTY, FLORIDA a political subdivision of the State of Florida, herein "COUNTY" and _____

_____ whose address is _____
_____ hereinafter "EVENT SPONSOR:"

That for and in consideration of the understanding hereinafter set forth the parties do agree and covenant as follows:

1. That in and for the consideration of permission to use certain public roads or other public property, more particularly described as follows: _____
_____ for the purpose of conducting a _____
event, more particularly described as follows: _____
on the _____ day of _____ 20____, from _____ am/pm until
_____ am/pm, the EVENT SPONSOR does hereby agree to indemnify the COUNTY in to for any
and all claims or liabilities that may arise out of the above described event.
2. That, in addition to indemnification described in Paragraph One, the EVENT SPONSOR does hereby agree to hold the COUNTY harmless in all respects concerning the event described in Paragraph One and will defend any and all causes of action or claims and will, further, pay the cost of any attorney's fees incurred by the COUNTY arising out of the event described in Paragraph One.

MONROE COUNTY, FLORIDA

By: _____
County Administrator

Organization

By: _____
Of the above and duly authorized to
Execute this agreement.

State of Florida
County of Monroe

SUBSCRIBED AND SWORN to (or affirmed before me) on _____ day of _____, 20____.

By _____ (Event Contact Person), he/she is personally known to me or has
produced _____ (type of identification) as identification.

Notary Public